INSPECTOR GENERAL
DEPARTMENT OF DEFENSE
400 ARMY NAVY DRIVE
ARLINGTON, VIRGINIA 22202-4704

Mr. T. Christian Miller
Staff Writer
Washington Bureau
Los Angeles Times
1875 Eye St. N.W. #1100
Washington, DC 20015

Dear Mr. Miller:

This letter is in response to your electronic Freedom of Information Act (FOIA) request dated and received on October 22, 2004. Your request appeals the decision of Mr. Darryl R. Aaron, the Initial Denial Authority (IDA), to deny your FOIA request number 04-0360.

On October 7, 2004, the IDA denied your request by invoking the FOIA 5 U.S.C. §552, under exemption (b)(7)(A) because of a pending investigation. The pending investigation is not being conducted by the OIG DoD, as intimated in your appeal letter, but instead by another federal agency. The Office of the Inspector General of the Department of Defense (OIG DoD) referred the Shaw matter, before the receipt of your FOIA request, to the other federal agency. The IDA decision was based on the fact that the other federal agency had requested all files, records and other documentation directly or indirectly related to any Department of Defense investigation or inquiry concerning John "Jack" Shaw for their review in their pending investigation.

After a careful review of your appeal, and based upon the results of a renewed inquiry to the other federal agency that reiterated their continuing need for the documents mentioned in your request, and their stated concern that release of the any of the documents could interfere with law enforcement proceedings, I affirm the decision by the IDA to withhold information regarding John "Jack" Shaw in accordance with FOIA exemption b(7)(A). This letter constitutes my decision on your request at this time. I will inform you once the pending investigation has been closed, at which time you may resubmit a FOIA request. As the Appellate Authority, I am the official responsible for this determination. You may seek judicial review of this decision in federal court.

Sincerely,

John R. Crane
Freedom of Information Act
Appellate Authority

b6 per FBI
b7C per FBI

58A-WF-229569

OFFICE OF THE INSPECTOR GENERAL
DEPARTMENT OF DEFENSE
400 ARMY NAVY DR RM 223
ARLINGTON VA 22202-4704
ATTN: FOIA/PA OFFICE

Date: 10/28/2004

# of pages including cover sheet 2

TO: FBI SA [redacted]

Phone: [redacted]
Fax:

Re:

FROM: Darryl R. Aaron
Chief, FOIA/PA Specialist
EMAIL: @dodig.osd.mil

Phone: 703-604- 9785 (DSN 664)
Fax: 703-602-0294 (DSN 332)

b6 per FBI
b7C per FBI
b6 per FBI
b7C per FBI
b7E per FBI

REMARKS: ☐ Urgent ☒ For Review ☐ Reply ASAP ☐ Please comment

SA [redacted]

b6 per FBI
b7C per FBI

Here's a draft letter of our response to T. Christian Miller (L.A. Times) regarding his appeal of denial to release any records concerning John "Jack" Shaw.

Thanks,
D'l A

~~Deliberative Document – For Discussion Purposes Only~~
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